

1 **Jason K. Singleton, State Bar #166170**  
jason@singletonlawgroup.com  
2 **Richard E. Grabowski, State Bar # 236207**  
rgrabowski@mckinleyville.net  
3 **SINGLETON LAW GROUP**  
611 "L" Street, Suite A  
4 **Eureka, CA 95501**  
  
5 **(707) 441-1177**  
6 **FAX 441-1533**

7 **Attorney for Plaintiff, MARSHALL LOSKOT**

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 <b>MARSHALL LOSKOT,</b>	)	<b>Case No. 4:09-CV-03774-CW</b>
11 <b>Plaintiff,</b>	)	
12 <b>v.</b>	)	<b>PLAINTIFF'S STATUS REPORT AND</b>
13 <b>ABEL HERNANDEZ, aka ABEZ</b>	)	<b>REQUEST FOR CONTINUATION OF</b>
14 <b>HERNANDEZ, and MARTHA E.</b>	)	<b>THE CASE SCHEDULE UNDER</b>
15 <b>HERNANDEZ, dba EL CHAPARRAL</b>	)	<b>GENERAL ORDER 56</b>
16 <b>TAQUERIA, OLGA R. GAVIDIA and DOES</b>	)	
17 <b>ONE to FIFTY, inclusive,</b>	)	
<b>Defendants.</b>	)	

18 Plaintiff served the Defendants, Abel Hernandez, Martha Hernandez, and Olga Gavidia  
19 (nka Olga Romo) with service of process by personal and substituted service. The returns of  
20 service have been filed with the Court (Documents 4, 5 and 6) and Defendants answers to the  
21 Complaint were due September 16, October 14 and October 13, respectively. No responsive  
22 pleading have been filed or received by Plaintiff.

23 Plaintiff's counsel was in the process of preparing Requests for Default when they  
24 received a facsimile letter on October 21 from Attorney Richard MacBride, a copy of which is  
25 attached hereto as Exhibit A.

26 Mr. MacBride stated in his letter that he had just been approached by Defendants for  
27 representation but he was leaving the country from October 27 through November 6, 2009,  
28 and requested an extension of time to respond on behalf of the Defendants.

Under the General Order 56 Case Schedule, the parties are required to conduct a joint site inspection of the subject premises by November 25, 2009.

Plaintiff's counsel responded on October 21 to Mr. MacBride by facsimile with a letter advising him of the joint inspection deadline, granted an extension to November 13, and provided a possible site inspection date for consideration, a copy of which is attached hereto as Exhibit B. Mr. MacBride was also faxed a stipulation for the extension. No response or other communication has been received from Mr. MacBride.

Rather than waste the Court's time in requesting defaults and having them set aside, Plaintiff requests the Court continue the Case Schedule for the required joint inspection for 45 days to January 11, 2010, to allow Mr. MacBride to return from his trip, meet with his clients, and prepare a response to the Complaint. Plaintiff will serve this report and request and the order thereon on Defendants and Mr. MacBride by Certified mail.

Respectfully Submitted,

**SINGLETON LAW GROUP**

Dated: October 29, 2009

/s/ Jason K. Singleton  
Jason K. Singleton,  
Richard E. Grabowski, Attorneys for  
Plaintiff, **MARSHALL LOSKOT**

### ORDER

The Case Schedule pursuant to General Order 56 shall be amended with the Last day for joint inspection continued to January 11, 2010, and all other applicable dates calculated from that date.

10/29/09

Dated: \_\_\_\_\_



\_\_\_\_\_  
CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE